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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,558	09/04/2003	Zaida Pericas	60027.0200USU1/BS030092	6412
39262 7590 10/03/2007 MERCHANT & GOULD BELLSOUTH CORPORATION P.O. BOX 2903 MINNEAPOLIS, MN 55402			EXAMINER MAGUIRE, LINDSAY M	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 10/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/655,558

Applicant(s)

PERICAS ET AL.

Examiner

Lindsay M. Maguire

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 10-14, 16, 17, 19 and 22-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-14, 16, 17, 19 and 22-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Non-Final action is in response to the application filed on September 4, 2003 and the preliminary amendment filed on April 27, 2006 in which claims 7-9, 15, 18, 20, and 21 were cancelled and claims 30 and 31 were added.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 4-6, 10, 17, 19, 22, 23, and 27-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "call unit sharing plan associated with the wireless and wireline usage" in lines 1-2 of claim 2, renders the claim indefinite. Specifically it is unclear what applicant is attempting to set forth by the term "associated with". It is noted that similar instances of the usage of this term occur within claims 4-6, 10, 17, 19, 22, 23, and 27-31. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 11, the claim is directed to neither a "process" nor a "machine," but rather embrace or overlap two different statutory classes of invention set forth in 35 U.S.C. 101 which is drafted so as to set forth the statutory classes of invention in the alternative only. See MPEP 2173.05(p), section II. In the interest of compact prosecution the claim will be examined as if it were a method claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 10-14, 16, 17, 19, and 22-31 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. PGPub. No. 2001/0056362 (Hanagan et al. '362).

Regarding claims 1-6, 10, and 30, Hanagan et al. '362 discloses a method of integrating billing and services management between a wireless telecommunications carrier and a wireline telecommunications carrier, comprising; provisioning a call unit sharing plan allowing a user to charge units of wireless usage and traits of wireline usage to one calling plan (paragraph [0050]); receiving wireless usage at a wireless

carrier (paragraph [0078]); receiving wireline usage at a wireline usage rating platform (paragraph [0078]); routing the wireless usage to the wireline usage rating platform (paragraph [0078]); and if any of the wireless or wireline usage requires a billing charge, charging may of the wireless or wireline usage to the call unit sharing plan (paragraph [0079]). Additionally, Hanagan et al. '362 disclose preparing a single periodic bill showing charges to the call unit sharing plan associated with the wireless and wireline usage charged to the call unit sharing plan (paragraph [0079]); and prior to charging any of the wireless or wireline usage to the call unit sharing plan, rating the wireless and wireline usage at the wireline usage rating platform to determine whether any of the wireless or wireline usage must be charged to the call unit sharing plan (paragraph [0079 – 0080]). Furthermore, Hanagan et al. '362 disclose determining whether any of the wireless or wireline usage is associated with calling types requiring no charge (paragraphs [0089 – 0097]); whereby if any of the wireless or wireline usage is associated with calling types requiring no charge, designating the any of the wireless or wireline usage associated as requiring no charge (paragraphs [0089 – 0097]); whereby at least some of the wireless usage requires no charge because a wireless call associated with the at least some of the wireless usage requiring no charge was made during a free call period or a different rate call period (paragraphs [0128 – 0140]); and after preparing a single periodic bill, further comprising: settling revenue associated with the single periodic bill between the wireless carrier and the wireline carrier by apportioning an amount of the revenue associated with wireless services during a billing cycle associated with the single periodic bill to the wireless carrier; and apportioning an

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amount of the revenue associated with wireline services during the billing cycle associated with the single periodic bill to the wireline carrier (paragraphs [0129 – 0136, 0160, & 0196]); and whereby at least some of the wireless usage requires no charge because a wireless call associated with the at least some of the wireless usage requiring no charge was made from a wireless phone of a user to a wireline home phone of the user (paragraphs [0089-0097]).

With respect to claims 11-14 and 16, Hanagan et al. '362 disclose a telecommunications system including integrated billing management between a first telecommunications services carder and a second telecommunications services carrier, a method for synchronizing services between the first and second telecommunications services carriers, comprising: receiving a services order at a first services ordering platform of the first telecommunications services carrier requiring services changes that affect the second telecommunication services carrier (paragraphs [0079, 0080, & 0182-0186]); and notifying the second telecommunications services carrier to provide the services order to the second telecommunications services carrier (paragraphs 0143, 0144, & 0168-0172]). Additionally, Hanagan et al. '362 disclose ensuring that subscriber services at the first telecommunications services carrier are synchronized with subscriber services at the second telecommunications services carrier for any subscriber services affecting both the first and second telecommunications services carriers (paragraph [0105 – 0109]); ensuring that no subscriber services changes are made at the first telecommunications services carrier affecting the second

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telecommunications services carrier if a responsive services change is not made at the second telecommunications services carrier (paragraphs [0125, 0126, & 0138 – 0140]); and if a services change is made at the first telecommunications services carrier affecting the second telecommunications services carrier without making a required responsive services change at the second telecommunications services carrier, notifying the second telecommunications carrier of the services change at the first telecommunications services carrier (paragraphs [0168 – 0172]). Furthermore, Hanagan et al. '362 disclose, sending an integrated fulfillment notification to any subscriber making services changes with either the first telecommunications services carrier or the second telecommunications services carrier where the services changes affect both the first telecommunications services carrier and the second telecommunications services carrier (paragraphs [0082 & 0168 – 0172]).

In regards to claim 17, Hanagan et al. '362 disclose a system for integrating billing and services management between a wireless telecommunications carrier and a wireline telecommunications carrier, comprising; a wireless carder billing system operative to receive wireless call usage associated with wireless calls made via the wireless carrier (paragraph [0050]); to route the wireless call usage to a call usage rating platform at the wireline carrier (paragraph [0078]); the call usage rating platform at the wireline carrier operative to receive wireline call usage associated with wireline calls made via the wireline carrier (paragraph [0078]); to charge any of the wireless or wireline call usage to a subscriber call unit sharing plan if any of the wireless or wireline

call usage requires a billing charge (paragraph [0078]); to route rated call usage reformation for all wireless and wireline call usage requiring billing under the subscriber call unit sharing plan to a wireline carrier billing system (paragraphs [0078-0080]; and the wireline carrier billing system operative to prepare a single periodic bill showing charges to the subscriber call unit sharing plan associated with the wireless and wireline call usage charged to the call unit sharing plan (paragraphs [0078-0080]).

Regarding claims 19, 22, and 31, Hanagan et al. '362 disclose a method of integrating billing management between a wireless telecommunications carder and a wireline telecommunications carrier, comprising; provisioning a call unit sharing plan allowing a user to charge units of wireless usage and units of wireline usage to one calling plan (paragraph [0050]); receiving wireless usage at a wireless carrier; receiving wireline usage at a wireline usage rating platform; routing the wireless usage to the wireline usage rating platform (paragraph [0078]); rating the wireless and wireline usage at the wireline usage rating platform to determine whether any of the wireless or wireline usage must be charged to the call unit sharing plan if any of the wireless or wireline usage requires a billing charge, charging the any of the wireless or wireline usage to the call unit sharing plan (paragraphs [0078-0080]); and preparing a single periodic bill showing charges to the call unit sharing plan associated with the wireless and wireline usage charged to the call unit sharing plan (paragraph [0079]). Additionally, Hanagan et al. '362 disclose that after preparing a single periodic bill, further comprising: settling revenue associated with the single periodic bill between the wireless carrier and

the wireline carrier by apportioning an amount of the revenue associated with wireless services during a billing cycle associated with the single periodic bill to the wireless carrier; and apportioning an amount of the revenue associated with wireline services during the billing cycle associated with the single periodic bill to the wireline carrier (paragraphs [0129 – 0136, 0160, & 0196]); and comprising ff any of the wireless usage comprises a wireless call from a wireless phone of a user to a wireline home phone of the user, designating the wireless or wireline usage associated with the wireless call as requiring no charge (paragraphs 0089-0097)].

With respect to claims 23-25, Hanagan et al. '362 disclose a method of integrating billing management between a plurality of telecommunications services systems, comprising; receiving first call usage associated with calls transacted via a first services system (paragraphs [0050 & 0078]); receiving second call usage associated with calls transacted via a second services system (paragraph [0078]); routing the first call usage and the second call usage to one or more call usage rating platforms, at the one or more call usage rating platforms, determining billing information associated with each of the first and second call usages (paragraph [0078]); routing billing information associated with each of the first and second call usages to a billing system (paragraphs [0078-0079]); and preparing a single periodic bill showing charges associated with the first and second call usages (paragraph [0079]). Additionally, Hanagan et al. '362 disclose that routing the first call usage and the second call usage to the one or more call usage rating platforms includes routing the first call usage to a first call usage rating

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platform and routing the second call usage to a second call usage rating platform (paragraphs [0078-0080]; Figure 6); and whereby routing the first call usage and the second call usage to the one or more call usage rating platforms includes routing the first call usage and the second call usage to a single call usage rating platform at one of the first or second services systems (paragraphs [0078-0080]; Figure 6).

Regarding claims 26-28, Hanagan et al. '362 disclose a method of integrating billing and services management between a wireless telecommunications carrier and a wireline telecommunications carrier, comprising; provisioning a call unit sharing plan allowing a user to charge units of wireless usage and units of wireline usage to one calling plan (paragraph [0050]); receiving wireless usage at a wireless carrier (paragraph [0078]); receiving wireline usage at a wireline usage rating platform (paragraph [0078]); receiving the wireless usage at the wireline usage rating platform (paragraphs [0078-0080]); add if any of the wireless or wireline usage requires a billing charge, charging any of the wireless or wireline usage to the call unit sharing plan (paragraph [0079]). Additionally, Hanagan et al. '362 disclose preparing a single periodic bill showing charges to the call unit sharing plan associated with the wireless and wireline usage charged to the call unit-sharing plan (paragraph [0079]); prior to charging any of the wireless or wireline usage to the call unit sharing plan: rating each wireless and wireline usage at the wireline usage rating platform to determine whether any usage must be charged to the call unit sharing plan: determining whether any wireless usage or wireline usage is associated with calling types requiring no charge; and in response to

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any wireless usage or wireline usage being associated with calling types requiring no charge, designating the any wireless usage or wireline usage requiring no charge as requiring no charge (paragraphs [0079, 0080, & 0089 – 0097).

In regards to claim 29, Hanagan et al. '362 disclose a method of integrating billing and services management between a wireless telecommunications carrier and a wireline telecommunications carrier, comprising; provisioning a call unit sharing plan allowing a user to charge traits of wireless usage and units of wireline usage to one calling plan (paragraph [0050]); receiving wireline call usage at a wireline rating platform (paragraph [0078]); receiving wireless call usage at the wireline rating platform (paragraph [0078]); if any of the wireless or wireline call usage requires a billing charge, charging the any of the wireless or wireline call usage requiring a billing charge to the call unit sharing plan (paragraph [0079]); and preparing a single periodic bill showing charges to the call unit sharing plan associated with the wireless and wireline call usage charged to the call unit sharing plan (paragraph [0079]).

Conclusion

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as

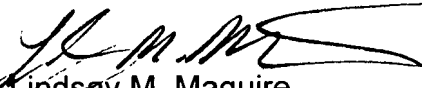
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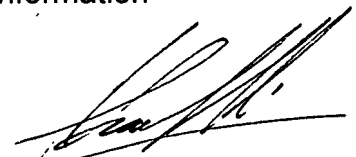
well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts of disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lindsay M. Maguire whose telephone number is 571-272-6039. The examiner can normally be reached on M-F: 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Lindsay M. Maguire
9/25/07


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